REMARKS

With the above amendments, claims 10-15, 22 and 23 remain in the application. Claim 23 is a newly added claim. Claims 1 and 22 have been amended in this response to expedite prosecution.

Claims 10-14 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2004/0158741 by Schneider ("Schneider") and U.S. Patent No. 7,123,613 to Chawla et al. ("Chawla"). The rejection is respectfully traversed.

Even prior to the present amendments, claim 1 is patentable over the combination of Schneider and Chawla at least for then reciting: "redirecting the file from a first peer node to an interception node, the file being originally intended to be transferred directly from the first peer node to a second peer node" and "processing the file in the interception node." As explained in the second appeal brief, Schneider does not disclose processing of a P2P transferred file in an interception node. In Schneider, the file being transferred by P2P is processed in another terminal prior to the P2P transfer. Schneider discloses conventional P2P transfer in that the file is transferred directly from the source peer node to the destination peer node.

Chawla does not pertain to peer-to-peer data transfer. Chawla discloses conventional proxy server, very similar to that of U.S. Patent No. 5,781,550 to Templin et al., which has been discussed in detail in the second appeal brief. In Chawla, the proxy server is transparent in that the redirection is performed by a router. In other words, the client does not have to be especially configured to communicate with the origin server by way of the proxy server. However, it is respectfully submitted that this cannot be done on a peer-to-peer data transfer for at least two reasons. One, peer to peer data transfer is between two peer nodes. On the other hand, Chawla pertains to client-server architecture where the client connects to the origin server by way of the proxy server by redirection of a router. The origin server and the client are not peers. Modifying Schneider in

accordance with Chawla would convert Schneider from P2P to client-server architecture – drastically modifying Schneider.

Second, Chawla requires that the router be configured to route data to the origin server to the proxy server. It is respectfully submitted that this would require modification of the router each time a P2P data transfer is to be performed between two peer nodes. Given the number of peers in a P2P network, this is highly unpractical. One of ordinary skill in the art would thus not be motivated to modify Schneider based on Chawla. Note that this is not a problem with Chawla as it only pertains to redirection of traffic to the origin server.

Another problem with the combination of Schneider and Chawla is that there is no real reason why one of ordinary skill in the art would combine the two references. The last office action suggests that one of ordinary skill in the art would modify Schneider "to take advantage of the benefits of using a proxy server in handling client packets without requiring special configuration of the client." Applicant respectfully disagrees with this conclusion for several reasons:

a) Schneider already has a way of processing packets prior to transmission and that way allows Schneider to maintain its P2P architecture. In contrast, Chawla's proxy server would require conversion of Schneider to client-server architecture.

b) Chawla's proxy server may not require modification to the client, but would nevertheless require modification of a router to perform routing to a particular server. That is, Chawla's approach is no less troublesome than that of Schneider.

Therefore, it is respectfully submitted that claim 1 is patentable over the combination of Chawla and Schneider.

Nevertheless, to expedite prosecution, claim 1 has been amended to particularly recite additional features of the present invention. Claim 1 has been amended to recite the step of "providing information to a first peer node that an interception node is a second peer node" (e.g., Specification, page 12, lines 7-15). Claim 1 further recites that the provided information is used to redirect the first peer node to the interception node. In other words, the redirection occurs from within the first peer node, which is the

original source of the file to be transferred. This feature makes the method of claim 1 particularly suitable for use in peer-to-peer networks. In contrast, Chawla does not perform any configuration in the client to perform the redirection (which, according to the last office action, is the supposed benefit of using Chawla's approach), while Schneider does not perform any P2P redirection at all.

Therefore, it is respectfully submitted that claim 10 is patentable over the combination of Schneider and Chawla. Claims 11-14 depend on claim 10 and are thus patentable over the combination of Schneider and Chawla at least for the same reasons that claim 10 is patentable.

Similar to claim 10, claim 22 is patentable over the combination of Schneider and Chawla at least for reciting: "providing information to the first peer node that an interception node is the second peer node."

Claim 22 is further patentable over the combination of Schneider and Chawla at least for reciting "informing the second peer node that an address of the first peer node is that of an interception node." Note that the second node is the recipient of the file and yet is informed that an address of the first peer node (i.e., the source of the file) is that of the interception node (e.g., see Specification, FIG. 4, step 408; page 14, lines 8-11).

The last office action cites to Chawla col. 7, lines 58 to col. 8, line 24 in the rejection of claim 14, which has similar language. Applicant respectfully disagrees with this conclusion. The cited portion of Chawla pertains to communication from client ("first peer node per the last office action") to the origin server ("second peer node" per the last office action), with the proxy server modifying the data packets to point to the origin server. Note that this cannot possibly read on claim 14 because:

(a) The origin server ("second node" or recipient) is not informed that an address of the client ("first peer node" or source) is that of the proxy server ("interception node").

(b) There is "no informing" of either the origin server or client because the router performs the redirection to the proxy server.

Therefore, it is respectfully submitted that claim 22 and 14 are patentable over the combination of Schneider and Chawla.

New claim 23 depends on claim 22 and is thus patentable over the combination of Schneider and Chawla at least for the same reasons that claim 22 is patentable.

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chawla and Schneider and further in view of U.S. Patent No. 6,629,102 to Morris et al. ("Morris"). It is respectfully submitted that this rejection has been fully addressed in the second appeal brief with Templin rather than Chawla. There is no substantive difference between Chawla and Morris, especially with regard to claim 15. Therefore, it is respectfully submitted that claim 15 is patentable over the combination of Chawla, Schneider, and Morris.

Conclusion

For at leas the above reasons, it is believed that claims 10-15, 22, and 23 are in condition for allowance. The Examiner is invited to call the undersigned for any questions.

Respectfully submitted,
En-Yi Liao

Dated: NOV. 13, 2007

Patrick D. Benedicto, Reg. No. 40,909
Okamoto & Benedicto LLP
P.O. Box 641330
San Jose, CA 95164
Tel.: (408)436-2110
Fax.: (408)436-2114

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